



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0720; Project Identifier 2019-SW-079-AD; Amendment 39-21808; AD 2021-23-10]

RIN 2120-AA64

Airworthiness Directives; Leonardo S.p.a Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Leonardo S.p.a. Model AW109SP helicopters. This AD was prompted by reports of an ineligible hydraulic pump being installed on Model AW109SP helicopters. This AD requires inspecting each hydraulic pump for damage and, depending on the inspections results, removing parts from service and accomplishing other corrective actions. This AD also requires removing certain parts from service before they exceed their life limits. The corrective actions are required to be accomplished as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: For material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; Internet www.easa.europa.eu. You may find this material on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material

at the FAA, call (817) 222-5110. It is also available in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0720.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0720; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the EASA AD, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Darren Gassetto, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7323; email Darren.Gassetto@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0213, dated August 29, 2019 (EASA AD 2019-0213), to correct an unsafe condition for Leonardo S.p.a. (formerly Finmeccanica S.p.A. Helicopter Division, AgustaWestland S.p.A, Agusta S.p.A.) Model AW109SP helicopters.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Leonardo S.p.a. Model AW109SP helicopters. The NPRM published in the *Federal Register* on September 8, 2021 (86 FR 50289). The NPRM was prompted by reports of a hydraulic pump part number (P/N) 109-0760-42-103 being ineligibly installed on Model AW109SP helicopters. EASA advises that because hydraulic pump P/N 109-0760-42-103 is not eligible for installation on Model AW109SP helicopters, applicable instructions for continued airworthiness are not available. The NPRM proposed to require accomplishing the actions specified in EASA AD 2019-0213, described previously, as incorporated by reference, except for any

differences identified as exceptions in the regulatory text of the proposed AD and except as discussed under “Differences Between this Proposed AD and EASA AD 2019-0213.”

The FAA is issuing this AD to address the ineligible installation of the affected part-numbered hydraulic pump on Model AW109SP helicopters since there are no applicable instructions for continuing airworthiness available. See EASA AD 2019-0213 for additional background information.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the costs.

Conclusion

These helicopters have been approved by EASA and are approved for operation in the United States. Pursuant to the FAA’s bilateral agreement with the European Union, EASA has notified the FAA about the unsafe condition described in its AD. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these helicopters. Except for minor editorial changes, this AD is adopted as proposed in the NPRM.

Related Service Information Under 1 CFR Part 51

EASA AD 2019-0213 requires inspecting each affected hydraulic pump and depending on the inspection results, replacing an affected hydraulic pump with a serviceable hydraulic pump, before further flight. EASA AD 2019-0213 also requires replacing any affected hydraulic pump before exceeding 1,600 total flight hours (FH) since first installation on a helicopter, or within 200 FH, whichever occurs later. Finally, EASA AD 2019-0213 prohibits installing any affected hydraulic pump on any helicopter.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

Other Related Service Information

The FAA also reviewed Leonardo S.p.a. Helicopters, Alert Service Bulletin No. 109SP-134, dated July 29, 2019. This service information specifies procedures for inspecting and replacing hydraulic pump P/N 109-0760-42-103.

Differences Between this AD and EASA AD 2019-0213

EASA AD 2019-0213 applies to Model AW109SP helicopters, all serial numbers, whereas this AD only applies to Model AW109SP helicopters with certain part-numbered hydraulic pumps installed.

Costs of Compliance

The FAA estimates that this AD affects 17 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Visually inspecting each hydraulic pump for wear, burrs, and abrasion takes about 4 work-hours and parts cost about \$5 for an estimated cost of \$345 per inspection and \$5,865 for the U.S. fleet.

Removing from service each affected hydraulic pump and replacing with an airworthy hydraulic pump takes about 6 work-hours and parts cost about \$22,819 for an estimated cost of \$23,329 per pump replacement.

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Authority for this Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority

because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39 - AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2021-23-10 Leonardo S.p.a.: Amendment 39-21808; Docket No. FAA-2021-0720; Project Identifier 2019-SW-079-AD.

(a) Effective Date

This airworthiness directive (AD) is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(b) Affected ADs

None.

(c) Applicability

This AD applies to Leonardo S.p.a. Model AW109SP helicopters, certificated in any category, with an affected part as identified in European Union Aviation Safety Agency (EASA) AD 2019-0213, dated August 29, 2019 (EASA AD 2019-0213).

(d) Subject

Joint Aircraft Service Component (JASC) Codes: 2913, Hydraulic Pump (Elect/Eng), Main.

(e) Unsafe Condition

This AD was prompted by reports of the ineligible installation of hydraulic pump part number (P/N) 109-0760-42-103 on Model AW109SP helicopters resulting in the applicable instructions for continued airworthiness not being available. The FAA is issuing this AD to address this unsafe condition. The unsafe condition, if not addressed, could result in failure of the hydraulic pump and subsequent loss of control of the helicopter.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2019-0213.

(h) Exceptions to EASA AD 2019-0213

(1) Where EASA AD 2019-0213 requires compliance in terms of flight hours, this AD requires using hours time-in-service (TIS).

(2) Where EASA AD 2019-0213 requires compliance from its effective date, this AD requires using the effective date of this AD.

(3) Where paragraph (2) of EASA AD 2019-0213 specifies to replace a part if any discrepancy is detected during the inspection, this AD requires removing that part from service.

(4) Where paragraph (3) of EASA AD 2019-0213 specifies to replace a part before exceeding 1,600 flight hours since first installation on a helicopter, this AD

requires removing that part from service before 1,600 hours TIS since first installation on a helicopter.

(5) Where the service information required by EASA AD 2019-0213 specifies discarding the o-ring and gasket, this AD requires removing those parts from service.

(6) Where the service information required by EASA AD 2019-0213 specifies recording compliance with the service bulletin in the helicopter logbook, this AD does not include that requirement.

(7) This AD does not require the “Remarks” section of EASA AD 2019-0213.

(i) No Reporting Requirement

Although the service information referenced in EASA AD 2019-0213 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Special Flight Permit

Special flight permits, as described in 14 CFR 21.197 and 21.199, are prohibited

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(l) Related Information

For more information about this AD, contact Darren Gassetto, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7323; email Darren.Gassetto@faa.gov.

(m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2019-0213, dated August 29, 2019.

(ii) [Reserved]

(3) For EASA AD 2019-0213, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; Internet www.easa.europa.eu. You may find this material on the EASA website at <https://ad.easa.europa.eu>.

(4) You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. This material may be found in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0720.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fr.inspection@nara.gov, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on October 28, 2021.

Lance T. Gant, Director,
Compliance & Airworthiness Division,
Aircraft Certification Service.

[FR Doc. 2021-26334 Filed: 12/3/2021 8:45 am; Publication Date: 12/6/2021]